



Southern Review

of Legislative & Regulatory Actions



The U.S. Army Regional Environmental & Energy Office

June 2012

THE SOUTHERN REGION REVIEW provides current information regarding environmental and energy-related actions and events throughout Federal EPA Region 4 (Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, and Tennessee). The events reported may be relevant to U.S. Army and other Military Services' activities and operations. The Review is designed to alert environmental decision makers, planners, and program managers of developments potentially relevant to overall responsibilities.

The Review is a monthly electronic publication. To receive this publication, please email a request to rebecca.d.shanks.ctr@mail.mil. Please include a contact name and email address in the body of the message.

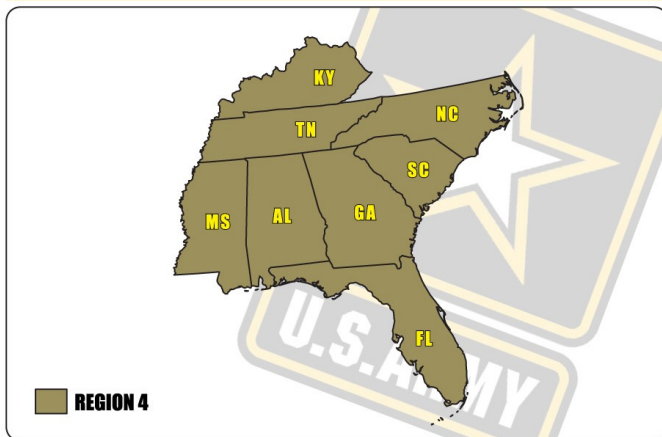


Table of Contents

Alabama.....	2
Florida.....	3
Georgia.....	6
Kentucky.....	7
Mississippi.....	7
North Carolina.....	8
South Carolina.....	10
Tennessee.....	11
DoD Activity.....	13
Federal Activity.....	13
Professional Development.....	16
Staff Directory.....	20

Pragmatism Driving New Energy Programs on US Military Bases

(06/12, NATIONAL DEFENSE MAGAZINE) Yards underneath a patch of land at Fort Benning, Ga., a layer of festering garbage from an old dump was producing methane gas.

The noxious — and potentially flammable — fumes were migrating underground to nearby facilities, so technicians installed vents, added propane to the mix, and burned the gas off. The energy dissipated and the process released greenhouse gasses into the atmosphere. Fort officials also had to pay for the propane.

Today, a small power station has been attached to the vents and is producing enough electricity to power about 250 homes.

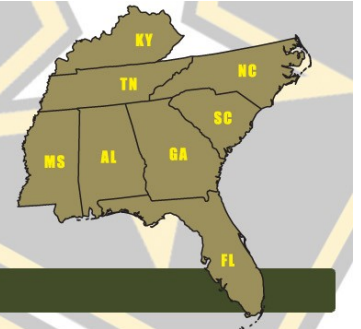
The Defense Department has set lofty goals for its facilities when it comes to renewable energies. It wants to produce 3 gigawatts of renewable energy by 2025, with each service branch kicking in one more gigawatt. Each gigawatt can power about 250,000 homes.

Renewables are traditionally thought of as solar, wind and geothermal. The gas produced by microbes breaking down organic material buried in old garbage dumps is not in that category. It is a finite resource. But once the landfill is full and dirt is placed over it as a cap, it may produce methane for as long as a century, said Brad Hancock, director of federal programs at FlexEnergy, an Irvine, Calif.-based company that makes the power station.

[Full story text](#) by Stew Magnuson is available.

Region 4

For more information on any state issue in Region 4, please contact [Marshall Williams](#), Army Regional Environmental Coordinator, (404)460-3136.



2012 SESSION DATES: 02/02/12 THROUGH 05/24/12

LEGISLATION

ENERGY, ALABAMA PUBLIC INTEREST ENERGY AND FUEL RESEARCH AND DEVELOPMENT GRANTS PROGRAM ([HB 518](#)): This action establishes funding for energy and fuel projects; the Advisory Commission on Public Interest Energy and Fuel Research and Development Grants; and Agriculture and Industries Department Center for Alternative Fuels. HB 518 passed both houses and was sent to the Governor.

UNIFORM COVENANTS AND STORAGE TANKS ([HB 341](#)): This act amends Section 35-19-2, Code of Alabama 1975, to exempt underground (UST) and aboveground storage tanks (AST) storing motor fuel from the requirements of the Alabama Uniform Environmental Covenants Act (UECA), which are not specifically exempt under existing law. HB 341 was enacted.

SOLID WASTE LANDFILL PERMITS ([HB 556](#)): This bill would extend the prohibition against the permitting of certain new solid waste facilities from 05/31/13, to 05/31/14. HB 556 was enacted.

STATE IS OWNER OF STATE WATERS ([SJR 16](#)): This joint resolution to federal agencies clarifies the state's ownership role over water as a state resource. SJR 116 passed both houses and was sent to the Governor.

[SJR 91](#): This joint resolution urges Congress to pass legislation that prohibits EPA from regulating greenhouse gas emissions (GHGs) without congressional approval. SJR passed both houses and was sent to the Governor.

FINAL RULES

NSPS/NESHAPS (335-3-10-.01, 335-3-10-.02, 335-3-11-.01, 335-3-11-.06, 335-3-14-.04, APPENDIX C): ADEM has adopted amendments to incorporate by reference changes to EPA's New Source Performance Standards (NSPS), and National Emissions Standards for Hazardous Air Pollutants (NESHAPS). Additional changes to Chapter 14 of Division 3 Code are being proposed to include federal definitions and requirements for replacement units at major sources located in areas designated as attainment or unclassifiable under the Clean Air Act (CAA). Chapter 335-3-14 is considered part of the federally-enforceable SIP, and revisions to it are proposed for incorporation into the Alabama SIP. A [Notice of Public Hearing](#) was issued 12/25/11. A meeting was held 02/08/12. Comments were due 02/10/12. The [Certified Adopted Rules](#) were published 04/30/12, and became effective 05/29/12. Contact: Chris Howard, (334) 271-7878

PROPOSED RULES

COASTAL ZONE MANAGEMENT FEE SCHEDULE: On 11/29/11, ADEM revised its Division 1 Fee Schedule B, which is used to assess processing fees for coastal consistency reviews in accordance with requirements and limitations of 15 C.F.R. 930.41, and requirements of the Alabama Environmental Management Act, Ala. Code Â§ 22-22A-5(16) (2006 Rplc. Vol.). Revisions constituted a routine program change to ACAMP's federally-approved coastal area management program since the action does not make substantial changes in or to enforceable policies or authorities related to uses subject to management; special management areas; boundaries; authorities and organization; or coordination, public involvement and national interest. ACAMP has requested the federal Ocean and Coastal Resource Management (OCRM) to concur in this determination. [Notice of Routine Program Change](#) was issued on 04/01/12, and comments due by 04/22/12. Contact: Joelle Gore, Chief Coastal Programs Division Chief

COASTAL ZONE MANAGEMENT DIVISION 8 REGULATIONS: On 11/20/11, public notice announced a 01/04/12 public hearing regarding required administrative modifications to ADEM's Division 8 Coastal Program Regulations. Modifications ensure that language related to federal consistency requirements is consistent with the existing statutory and regulatory provisions of Section 307 of the Coastal Zone Management Act and 15 C.F.R. Part 930. Revisions constituted a routine program change to ACAMP's federally-approved coastal area management program since the action does not make substantial changes in or to enforceable policies or authorities related to uses subject to management; special management areas; boundaries; authorities and organization; or coordination, public involvement and national interest. ACAMP has requested the federal Ocean and Coastal Resource Management (OCRM) to concur in this determination. [Notice of Routine Program Change](#) was issued on 4/1/12, and comments were due by 4/22/12. Contact: Joelle Gore, Chief Coastal Programs Division



2012 SESSION DATES: 01/01/12 THROUGH 03/09/12

LEGISLATION

ENVIRONMENTAL REGULATION AND WASTE PROCESSING FOR WASTE TO ENERGY ([HB 503](#)): This action relates to local government comprehensive plans and plan amendments; programmatic and regional general permits; permits for projects relating to stormwater management systems, coastal construction, dredge and fill activities, intermodal logistics centers and commercial and industrial development; ambient air quality and water quality standards, and solid waste disposal to include waste to energy facilities. HB 503 was enacted.

RECLAIMED WATER ([HB 639](#)): This measure provides that reclaimed water is eligible for alternative water supply funding; prohibits exclusion of reclaimed water use in regional water supply planning; prohibits water management districts from requiring permits for use of reclaimed water and from requiring or restricting services provided by reuse utilities. HB 639 was enacted.

BEACH MANAGEMENT ([HB 691](#)): This action specifies that adequacy of design and construction for projects is supported by certain evidence; authorizes the Florida Department of Environmental Protection (FLDEP) to issue permits for incidental take authorization; requires FLDEP to adopt and amend rules involving excavation and placement of sediment, guidelines and permit streamlining; requires FLDEP to maintain certain project information on its website and notify the Governor and Legislature of certain changes; and provides permit exemption for specified exploratory activities. HB 691 was enacted.

DEVELOPMENTS OF REGIONAL IMPACT ([HB 979](#)): This measure requires that comprehensive plan amendments proposing certain development follow state coordinated review process; limits scope of certain recommendations and comments by reviewing agencies regarding proposed development; revises review criteria for regional planning agency reports; provides that specified changes to development orders are not substantial deviations; provides exemption from development-of-regional-impact review for certain proposed development; and revises conditions under which local government is required to rescind development-of-regional-impact development orders. HB 979 was enacted.

FLORIDA CLIMATE PROTECTION ACT ([HB 4001](#)): This measure repeals provisions for cap and trade regulatory program to reduce greenhouse gas emissions (GHGs) from electric utilities. HB 4001 was enacted.

ENVIRONMENTAL RESOURCE PERMITTING ([HB 7003](#)): This measure requires FLDEP, in coordination with water management districts, to develop statewide resource permitting rules for activities relating to management and storage of surface waters; provides presumption of compliance for certain stormwater management systems; provides exemptions for specified stormwater management systems and permitted activities. HB 7003 was enacted.

NULLIFICATION AND REPEAL OF ADMINISTRATIVE RULES ([HB 7029](#)): This action nullifies rules adopted by Northwest Florida Water Management District (WMD), Suwannee River WMD, St. Johns River WMD, Southwest Florida Water Management District WMD, South Florida WMD, former Department of Commerce, former Department of Health and Rehabilitative Services, Health Program Office, former Advisory Council on Intergovernmental Relations, or former Department of Labor and Employment Security. HB 7029 was enacted.

NUMERIC NUTRIENT CRITERIA ([HB 7051](#)): This action requires FLDEP to publish notice and submit specified rules to

EPA for review under the federal CWA. HB 7051 was enacted.

MILITARY INSTALLATIONS (HB 7075): This measure authorizes the Florida Defense Support Task Force to recommend to Legislature, specified changes in military installations and local governments under the Community Planning Act; revises legislative intent with respect to proposed closure or reuse of military bases; creates the Military Base Protection Program within DEO; establishes the Florida Defense Reinvestment Grant Program; eliminates the Defense-Related Business Adjustment Program, the Florida Defense Planning Grant Program, the Florida Defense Implementation Grant Program, the Florida Military Installation Reuse Planning and Marketing Grant Program, and the Retention of Military Installations Program; transfers functions and responsibilities of Florida Council on Military Base and Mission Support to Florida Defense Support Task Force; and repeals Florida Council on Military Base and Mission Support. HB 7075 was enacted.

GROWTH MANAGEMENT (HB 7081): This action revises and provides provisions relating to growth management, local government comprehensive planning, comprehensive plans, state land planning agencies, local planning agencies, **military base reuse plans**, public facilities reports, etc. HB 7081 was enacted.

ENERGY (HB 7117): This action requires utilities' 10-year site plans to address existing and proposed renewable energy production and purchases; provides for portion of proceeds of local government infrastructure surtax to be used to provide loans, grants and rebates to residential or commercial property owners who make energy efficiency improvements to their residential or commercial property, subject to referendum; reestablishes corporate tax credit for certain costs related to renewable energy technologies; and directs DMS in coordination with DOACS to further develop state energy management plan. HB 7117 was enacted.

PROPOSED RULES

STANDARDS FOR ONSITE SEWAGE TREATMENT AND DISPOSAL SYSTEMS (FAC, CHAPTER 64E-6): The FL Department of Health (FLDOH) proposed amendments to standards for onsite sewage treatment and disposal systems. The rulemaking develops rules to implement provisions of Chapter 10-205, Laws of Florida (SB 550), which requires FLDOH to administer an onsite sewage treatment and disposal system evaluation and assessment program. Proposed rules address: application for a System Construction Permit; location and installation of onsite sewage treatment and disposal systems; site evaluation criteria; system size determinations; alternative systems; septage and food establishment sludge; portable restrooms and portable or stationary holding tanks; abandonment of systems standards for construction, operation and maintenance of aerobic treatment units; construction materials and standards for treatment receptacles; construction standards for drain field systems; permitting and construction of repairs; additive use; Department of Agriculture Soil Textural Classification System; system location, design and maintenance criteria; cesspit and undocumented system replacement and interim system use; coordinated permitting; requirements for registration; master septic tank contractors; issuance of registration certificates and renewal; standards of practice and disciplinary guidelines; certification of partnerships and corporation; applications for innovative system permits and reclassification and system construction permits, location, installation, monitoring and Fees. FLDOH held a public workshop 06/04/10 to discuss permitting and approval standards of onsite sewage treatment systems that provide treatment other than a septic tank, such as performance based treatment systems, aerobic treatment units and innovative systems. The Technical Review and Advisory Panel met 07/15/10 and 09/23/10. [Public workshops](#) were held 10/12/10, 10/14/10, 10/18/10, and 10/21/10. A public meeting was held in December 2010, and FLDOH scheduled public meetings through December 2011. Contact: Gerald Briggs, (850) 245-4250

RISK BASED CORRECTIVE ACTION (FAC 62-777): FLDEP has responded to a Petition to Initiate Rulemaking filed by Associated Industries of Florida pursuant to Section 120.54(7), F.S. FLDEP is initiating this rulemaking to commence the necessary dialogue among interested stakeholders to discuss proposed amendments to rules governing the Risk-Based Corrective Action (RBCA) process at contaminated sites in Florida. Subject areas to be addressed include FLDEP's RBCA guidance documents, in particular the "Technical Report: Development of Cleanup Target Levels (CTLs) for Chapter 62-777, F.A.C. (February 2005)." Additional subjects to be addressed include the site assessment process, fate and transport modeling and statistical methods, the risk assessment process including criteria for allowing use of the probabilistic risk assessment, and criteria for achieving the "No Further Action" status at contaminated sites (with or without controls). A [Notice of Development](#) was published 10/28/11. Contact: [Brian Dougherty](#), 850-245-7503

CONSOLIDATION OF RISK-BASED CORRECTIVE ACTION RULE CHAPTERS (62-780.100, .110, .150, .200, .220, .300, .400, .450, .500, .550, .600, .610, .650, .680, .690, .700, .750, .790, .900): FLDEP has proposed changes to all sections of Chapter 62-780, F.A.C., Contaminated Site Cleanup Criteria, as a result of merging Chapters 62-770 (Petroleum Contamination Site Cleanup Criteria), 62-782 (Dry cleaning Solvent Cleanup Criteria), and 62-785

(Brownfields Cleanup Criteria) into the existing Chapter 62-780, F.A.C. Amendment will provide rule consolidation and consistency across programs, where possible, based on governing statutes. Concurrently, FLDEP proposes to repeal Chapters 62-770, 62-782 and 62-785, F.A.C. A [Notice of Rulemaking Development](#) was published 03/09/12. A workshop was held 03/28/12. Comments were received and are being evaluated. There is no set deadline for completion of this action, but high interest exists in both the regulated and regulatory communities. Contact: [Brian Dougherty](#), (850) 245-7503

WATER SHORTAGE PLAN (40D-21.031, .051, .211, .221, .231, .251, .275, .281, .331, .371, .391, .421, .441, .601, .621, .631, .641, .651): The Southwest Florida WMD has proposed rulemaking to amend its Water Shortage Plan (Chapter 40D-21, F.A.C, developed in 1984) to reduce unnecessary regulatory burdens and achieve other streamlining benefits for the regulated public. Each WMD is required by state law to have and implement a Water Shortage Plan that guides response to drought and other water shortage events. A [Notice of Proposed Rules](#) was published on 03/09/12. Comments were due by 03/30/12. A [Notice of Change](#) was published 05/04/12. Contact: Barbara Martinez, (813) 985-7481

SOLID WASTE FACILITY PERMITTING (FAC 62-701.200, .210, .220, .300, .315, .320, .330, .400, .500, .510, .530, .600, .620, .630, .710, .730, .803, .900): FLDEP has proposed amendments to Chapter 62-701, F.A.C., which contains regulations for a wide variety of solid waste facilities including landfills, construction and demolition debris disposal facilities and waste processing facilities. The chapter is being amended to clarify that storm water and surface water management are not regulated under solid waste permits. Prohibitions on disposal of yard trash and waste tires are being updated to reflect statutory language. Permit fees for several types of facilities are being eliminated, and a new permit fee for certain general permits is identified. The kinds of documents that must be submitted with certifications of construction completion are clarified. The innovative use of recycled materials in lieu of soil for cover requirements is being specifically authorized. Requirements for routine leachate sampling are being eliminated. Financial assurance requirements for gas recovery facilities are being eliminated. Landfill closure procedures are being clarified. Additional flexibility in monitoring requirements for closed landfills is being added. The current provisions for deferral of financial assurance for disposal units that have not yet accepted waste are being replaced with the requirement that financial assurance is not necessary until 60 days prior to acceptance of waste. To conform to recent statutory changes, the general permit for land clearing debris disposal facilities will now apply to yard trash disposal facilities. Requirements for waste processing facilities are being reorganized and simplified. Indoor waste processing facilities will be allowed to apply for permit renewals under a general permit instead of an individual permit. Small container-to-container transfer stations will be exempt from permitting requirements under certain conditions, including a notification to FLDEP. These changes will have the effect of reducing permitting requirements for many facilities, and will not impose any additional permitting requirements on any facilities. [Notice of Rulemaking Development](#) was published 08/13/11, and a [Notice of Proposed Rule](#) was published 01/20/12. Comments were due 02/10/12, and hearings were held 02/16/12 and 05/17/12. Contact: [Richard Tedder](#), (850) 245-8735

RECLAIMED WATER AND REUSE REQUIREMENTS (40E-20.091; 40E-20.301): The SFWMD has [proposed to amend Rules](#) 40E-20.091 and 40E-20.301(1)(h), F.A.C., and Section 3.2.3.2.B.2 of the Basis of Review for Water Use Permit Applications within the SFWMD. Amendments require water use permit applicants to obtain written documentation from the local reclaimed water provider addressing availability of reclaimed water. Amendments also require minor general water use permit applicants located within a mandatory reuse zone to perform an end-user feasibility evaluation. A [Notice of Rulemaking Development](#) was published 10/07/11; Workshop was held 11/01/11; Notice of Rulemaking Development was published 02/03/12; and another Workshop was held 02/21/12. Contact: [Paulette Glebocki](#), (561) 682-6941,

EXISTING BROWNFIELD SITE REHABILITATION CRITERIA, PROCESS AND PROCEDURES (62-785.100, .150, .200, .220, .300, .400, .450, .500, .600, .610, .650, .680, .690, .700, .750, .900): FLDEP has proposed to merge existing Brownfield site rehabilitation criteria, process and procedures contained in Chapter 62-785, F.A.C. into Chapter 62-780, F.A.C.; Chapter 62-785, F.A.C., Brownfields Cleanup Criteria, will be repealed once current Risk-Based Corrective Action (RBCA) rule chapters are merged into Chapter 62-780, F.A.C., Contaminated Site Cleanup Criteria. This rulemaking will consolidate and provide consistency across cleanup programs. Concurrently, FLDEP is proposing the expansion of Chapter 62-780, F.A.C., to include all RBCA cleanup rules. A [Notice of Rulemaking Development](#) was published 03/16/12, and a workshop held 03/28/12. There is no set deadline for completion of this action, but high interest exists in both the regulated and regulatory communities. Contact: [Kim Walker](#), (850) 245-8934

EXISTING DRY CLEANING SOLVENT CONTAMINATION SITE REHABILITATION CRITERIA, PROCESS AND PROCEDURES (62-782.100, .150, .200, .220, .300, .400, .450, .500, .600, .610, .650, .680, .690, .700, .750, .790, .900): FLDEP has proposed to merge existing dry cleaning solvent contamination site rehabilitation criteria, process and procedures contained in Chapter 62-782, F.A.C. into Chapter 62-780 F.A.C.; Chapter 62-782, F.A.C., Dry cleaning Solvent Cleanup

Criteria, will be repealed once current RBCA rule chapters are merged into Chapter 62-780, F.A.C., Contaminated Site Cleanup Criteria. This rulemaking will consolidate and provide consistency across cleanup programs. Concurrently, FLDEP is proposing the expansion of Chapter 62-780, F.A.C., to include all RBCA cleanup rules. A [Notice of Rulemaking Development](#) was published 03/16/12. A workshop was held 03/28/12. There is no set deadline for completion of this action, but high interest exists in both the regulated and regulatory communities. Contact: [Jennifer Farrell](#), (850) 245-8937

SIP COMPLIANCE DEMONSTRATION FOR NAAQS OZONE AND REGIONAL HAZE: FLDEP announces a public hearing and opportunity to offer comments on Florida's State Implementation Plan (SIP) infrastructure submittal for revised NAAQS for ozone, promulgated by EPA on 03/12/08. This is not a SIP revision, rather a demonstration that the state's existing SIP is adequate for implementation, maintenance and enforcement of the revised ozone standard. FLDEP is also proposing that EPA incorporate into Florida's SIP, four Sections: 112.3143(4), 112.3144, 403.131 and 120.569(2)(n), F.S. A public hearing will be held if requested, and it is not necessary that the hearing be held or attended in order for persons to comment on the proposed submittal to EPA. A [Notice](#) was issued on 04/20/12, and comments were due by 5/21/12. Another [Notice](#) was issued 04/13/12, and comments were due 05/14/12. Contact: [Kelly Stevens](#), (850) 717-9017

MANATEES: The Florida Fish and Wildlife Conservation Commission announced a facilitated stakeholder meeting to discuss and examine manatee issues, exchange information and fact finding, and solicit input from stakeholders to the agency and its federal partners in evaluating current issues concerning the manatee. The public was welcomed to attend the meeting; however, space was limited. Limited public comments were taken. [Notice](#) was issued 04/06/12, and the meeting was held for 04/12/12. Contact: [Carol Knox](#), (850) 922-4330



2012 SESSION DATES: 01/09/12 THROUGH 03/29/12

Georgia has two sessions, and 2011 bills carry over

LEGISLATION

BONA FIDE CONSERVATION USE PROPERTY (HB 916): This measure changes certain qualifications and restrictions regarding covenants. HB 916 was enacted.

GHG RESOLUTION TO CONGRESS (SB 848): This resolution urges Congress to prohibit EPA from further regulating GHG emissions without a comprehensive economic and environmental study; and for other purposes. SB 848 was adopted.

PROPOSED RULES

SPILL REPORTING (GAC 391-3-6-.05): The Georgia Environmental Protection Division (GAEPD) proposed amendments that would modify the definition of "Major Spills," revise reporting requirements for non-major spills and amend the monitoring program protocol. The [Proposed Rule](#) was published 09/08/10, and a public hearing was held 10/15/10. Comments were due 10/29/10. Substantial comments were received; GAEPD is reconciling them. GAEPD will then take the rule before the Board. An additional hearing was held 04/10/12, comments were due 04/19/12, and adoption was considered at the 05/23/12 Natural Resources Board meeting. Contact: Marzieh Shahbaz, (404) 362-2680

ANTIDEGRADATION POLICY (391-3-6-.03): This [rule is being amended](#) to revise Georgia's [Guidelines to Wastewater Discharge Antidegradation Analysis](#) to better describe which requirements must be met before the State will allow discharge of pollutants into Tier 2 (high quality) waters. In addition, a Tier 2.5 designation is being added to protect Significant Natural Resource Waters. Finally, the requirements for Tier 3 waters (Outstanding National Resource Waters or ONRW) are being modified to allow for temporary or short-term changes in water quality, to update the attributes of waters considered for ONRW designation, to clarify that waters designated as ONRW will be included in the Rules, and to reword and renumber the requirements regarding new and expanding point source discharges upstream of and tributary to an ONRW. Public hearings were held 10/18/11-10/20/11. Comments were due 10/27/11, and a meeting was held 12/17/11. Contact: Jane Hendricks, (404) 362-2680

HAZARDOUS WASTE MANAGEMENT (391-3-11): GAEPD has proposed amendments relating to hazardous waste management. Proposed regulations are being amended to: clarify notification requirements, specifically for hazardous waste transfer facilities and used oil facilities, and documentation and record keeping requirements for hazardous waste accumulation areas, and clarify that used oil containers and tanks must be kept closed except when adding or removing

waste; clarify compliance monitoring provisions and correct typographical errors and omissions; amend the F019 listing to exempt wastewater treatment sludge from phosphating processes; establish an alternative set of generator requirements applicable to eligible academic entities; reflect the new name for USEPA Office of Resource Conservation and Recovery; terminate regulations known as the National Environmental Performance Track Program; establish an alternative set of generator requirements applicable to eligible academic entities that are flexible and protective; remove saccharin and its salts from the lists of hazardous constituents and commercial chemical products; allow authorized manifest form printers greater flexibility in complying with Federal printing specifications; implement recent changes to agreements concerning transboundary movement of hazardous waste among OECD countries; and finalize amendments to NESHAPs and Final Standards for HAPs for hazardous waste combustors; provide an alternative standard to use the best demonstrated available technologies for treating carbamate wastes prior to land disposal. The [Notice of Public Hearing](#) and [Proposed Amendments](#) were published 11/15/11. A Hearing was held 12/15/11, and comments were due 12/19/11. Contact: Mark Smith, Chief, Land Protection Branch, 404-463-8509



2012 SESSION DATES: JANUARY 3, 2012 THROUGH APRIL 12, 2012

NO SIGNIFICANT ENVIRONMENTAL OR ENERGY RELATED LEGISLATION TO REPORT

PROPOSED RULES

BOARD ON ELECTRIC GENERATION AND TRANSMISSION SITING (807 KAR 5:100, 5:110): The Kentucky Energy and Environment Cabinet (KEEC) has proposed amendments to rules concerning [Board on Electric Generation and Transmission Siting](#) proceedings and permit application requirements. Amendment establishes procedures related to applications, filings, notice requirements, hearings and confidential material under the jurisdiction of the Kentucky State Board on Electric Generation and Transmission Siting; adds language regarding carbon dioxide pipelines; establishes the initial filing fee for an application with the Siting Board for a construction certificate for a carbon dioxide transmission pipeline. Rules were proposed 06/04/11, and a public hearing was held 07/25/11. Comments were due 07/31/11. Following revisions based on comments received, a public hearing was held 10/24/11. Revisions await legislative approval.

[Proposed Rules: KAR 5:100; KAR 5:110](#)

Contact: Quang Nguyen, (502) 564-3940

AIR/PM2.5 NAAQS RE-DESIGNATION: KEEC will conduct a public hearing to receive comments on a proposed State Implementation Plan (SIP) revision to re-designate the Kentucky portion of the Louisville, Kentucky-Indiana area from nonattainment to attainment for the annual PM2.5 NAAQS to address sections 107 and 175A of the CAA. The revision, when approved by EPA, will re-designate the Counties of Bullitt and Jefferson to attainment, and document that ambient monitoring data for annual PM2.5 indicates NAAQS attainment. A [Notice of Public Hearing](#) was published 12/21/11. A hearing was held, and comments were due 02/03/12. Contact: [John Gowins](#), (502) 564-3999



2012 SESSION DATES: 01/03/12 THROUGH 05/03/12

LEGISLATION

CLEAN AIR ACT TITLE V PERMIT FEES (SB 2812): This bill provides for annual fee limitation for CAA Title V air permits. SB 2812 was enacted.

PROPOSED RULES

CONSERVATION AND ENERGY EFFICIENCY PROGRAMS (RULE 29): The Mississippi Public Service Commission (MSPSC) proposed new Public Utilities Rules of Practice and Procedure Rule 29 to implement energy efficiency programs and standards in Mississippi. The rule applies to electric and natural gas service providers subject to the jurisdiction of MSPSC. It is intended to encourage early implementation of energy efficiency programs, and to provide experience on which Mississippi's service providers and the MSPSC can build long-term energy efficiency programs. The [proposed rule](#) was submitted 08/04/11. Public comments were due 09/16/11. A public hearing will be set by subsequent order of the MSPSC. Contact: [Brian Ray](#), (601) 961-5434

SURFACE WATER AND GROUNDWATER USE AND PROTECTION (LW-2: 51-3-13, 51-3-31, AND 49-17-703): The Mississippi Department of Environmental Quality's (MSDEQ) Commission on Environmental Quality has proposed amendments to "Surface Water and Groundwater Use and Protection Regulations." Amendments to LW-2 would reduce public water infrastructure costs in the public. The Permit Board would have the authority to reject an application for proposed water withdrawal from a publicly owned utility (or require its modification) under circumstances where consolidation between publicly owned utilities would be less costly to the public than the proposed water withdrawal within the areas of the counties of George, Hancock, Harrison, Jackson, Pearl River, and Stone; and will require permitting of groundwater replacement wells within the areas of the counties of George, Hancock, Harrison, Jackson, Pearl River, and Stone, pursuant to Miss. Code Amt. Sections 51-3-13, 51-3-31, and 49-17-703. The Commission would have the authority to require consolidation of water supply in circumstances where consolidation by and between publicly owned utilities would reduce costs to the public pursuant the same sections and code. The [Notice of Proposed Rulemaking](#) (underlined at page 23) was published 10/01/11, and comments were due 10/24/11. A Public Hearing was held 10/25/11. Contact: [Jamie Crawford](#), (601) 961-5201



2012 SESSION DATES: 05/01/12 THROUGH 06/29/12

North Carolina has two sessions, and 2011 bills carry over

LEGISLATION

STATE AIR TOXICS PROGRAM REFORMS (HB 952, SB 858): This act exempts from state air toxics emissions controls, those sources of emissions subject to certain federal emissions requirements.

MERCURY SWITCH MANAGEMENT (HB 954, SB 811): This act amends reporting regarding mercury switch management, and also requires the North Carolina Department of Natural Resources (NCDENR) to provide an annual report, on inactive hazardous substance or waste disposal sites, that describes location, type and amount to each member of the General Assembly who has such sites in their district.

ALTERNATIVE FUELS STUDY COMMISSION (HB 1039): This act establishes the North Carolina commission on alternative fuels to study use and application of alternative fuels for North Carolina's transportation sector.

ALTERNATIVE FUELS STUDY RESEARCH FUNDS (HB 1040): This act appropriates funds to the Board of Governors of the University of North Carolina for North Carolina State University and the University of North Carolina at Charlotte to research and study alternative fuels for transportation.

CLEAN ENERGY AND ECONOMIC SECURITY ACT (HB 1054, SB 820; RELATED HB 1064): This act establishes an oil and gas board; authorizes the processes of horizontal drilling and fracturing (with a moratorium on permitting until 07/01/14); establishes a legislation commission on energy policy; directs purchase of compressed natural gas vehicles; and creates an interagency task force to establish public-private partnerships for the construction development of compressed natural gas fueling infrastructure.

SEDIMENTATION POLLUTION CONTROL ACT EXEMPTION (SB 491): This act specifies that the agricultural use exemption from sedimentation pollution control act permitting requirements continues to apply when land is transferred into a wetlands restoration program or other water quality, water resources, or wildlife habitat enhancement program.

ENERGY JOBS ACT (SB 709): This action increases energy production in North Carolina to develop a secure, stable and predictable energy supply to facilitate economic growth, job creation and expansion of business and industry opportunities; assigns future revenue from energy exploration, development and production of energy resources in order to protect and preserve the state's natural resources, cultural heritage and quality of life.

OFFSHORE WIND JOBS AND ECONOMIC DEVELOPMENT (SB 747): This measure encourages development of the state's offshore wind energy resources and attracts jobs and economic development.

PROPOSED RULES

PSD REQUIREMENTS FOR GHGs (15A NCAC 02D .0544): The North Carolina Department of Natural Resources (NCDENR) has [proposed an amendment](#) to update the PSD for GHGs Rule in order to reflect the three year Federal de-

deferral from consideration of CO2 emissions from combustion of biomass. The deferral was promulgated 07/20/11 (76 FR 43490). The Environmental Management Commission (EMC) is requested to approve one or more public hearings to consider these temporary rules. So the existing rule is no more restrictive than the Federal rule in accordance with G.S. 150B-19.3, NC Division of Air Quality (DAQ) needs to amend the State rule to incorporate the EPA deferral period for biogenic CO2 emissions. Also under G.S. 150B 19.1(a)(2), an agency shall seek to reduce the burden upon those persons or entities who must comply with the rule being adopted. Deferring biogenic CO2 emissions will reduce the regulatory burden on affected facilities by eliminating biogenic CO2 emissions when determining whether a stationary source meets the PSD and Title V applicability thresholds, including those for the application of Best Available Control Technology (BACT). A Temporary Rule is being presented to the Board to ensure that stationary sources would not have to complete a BACT analysis for biogenic CO2, and possibly be required to install equipment to control emissions during the three year deferral period and during the permanent rulemaking process. EPA's future rulemaking is uncertain until EPA completes review of the scientific and technical issues related to accounting for biogenic CO2 emissions. A [public hearing](#) was held 09/28/11, and public comments were due 10/14/11. A second hearing was held 03/14/12, and comments were due 04/02/12. Contact: [Joelle Burlison](#), 919-733-1474

UNDERGROUND INJECTION CONTROL WELLS (15A NCAC 02C – VARIOUS): NCDENR has [proposed amendments](#) to comply with changes to applicable federal regulations, make organizational improvements, and to make editorial changes or corrections. Organizational changes would provide that all administrative requirements are located in a single rule, and so that unique requirements for different types of injection wells are located in a specific rule dedicated to each type of injection well. Amendment would primarily enable each allowable injection well type to have permitting, construction, monitoring and reporting requirements located in a unique rule dedicated to each type of allowable injection well. Other amendments are to be reserved for future codification in order to simplify the rulemaking process for emerging issues. Amendments contain language of existing rules that will be relocated to new rules to provide a smooth organizational structure. Rules proposed for repeal consist of regulatory language that is being relocated to the content of the rules proposed for amendment, which will enable an organizational structure where each allowable injection well-type has permitting, construction, monitoring and reporting requirements located in a unique rule dedicated to that well type. The Notice of Proposed Rules was published 10/17/11. Hearings were held 11/20/11, 12/01/11, and 12/13/11-12/14/11. Comments were due 01/13/12. Contact: Thomas Slusser, 919-715-6164

ALBEMARLE-PAMLICO NATIONAL ESTUARY PROGRAM DRAFT MANAGEMENT PLAN - INPUT REQUESTED: The Albemarle-Pamlico National Estuary Program (APNEP) is seeking feedback from partners and the public on its draft Comprehensive Conservation and Management Plan to protect and restore the Albemarle-Pamlico estuarine system. The plan provides an overarching vision and direction to advance ecosystem management and protection for the Albemarle-Pamlico estuary during the next 10 years. APNEP is a federally funded program that supports ecosystem-based management of the Albemarle-Pamlico estuary and its watershed, an area that spans parts of North Carolina and Virginia. APNEP's mission is to identify, protect and restore the significant resources of the Albemarle-Pamlico estuarine system. The program pursues its mission by working closely with residents, scientists, universities, businesses, non-profit organizations and all levels of government. It is supported by NCDENR, EPA and the Virginia Department of Conservation and Recreation. To facilitate public input and dialogue, APNEP will conduct public meetings in eastern North Carolina and southeastern Virginia in November and December (see below). The objectives of the meetings are to present an overview of the draft plan and the process to develop it, and provide members of the public with an opportunity to ask clarifying questions about the draft strategic action plan and offer comments and suggestions. The meetings will include a presentation and a public comment session, hosted in an open house format where participants will have informal opportunities to engage with APNEP staff on specific topics. Please note, these are not regulatory hearings, and advertisement of these meetings in the North Carolina Register is for notification purposes only. The [Notice](#) was published on 11/15/11. Meetings were held 11/21/11-11/22/11, 11/29/11-11/30/11, and 12/06/11-12/07/11. Comments were due 01/17/12. Contact: Albemarle-Pamlico National Estuary Program, c/o [Jim Hawhee](#), (919) 707-8632

FEDERAL DEFERRAL OF CO2 EMISSIONS FROM COMBUSTION OF BIOMASS (15A NCAC 02D .0544): NCDENR has proposed an amendment to Rule 15A NCAC 02D .0544, Prevention Of Significant Deterioration (PSD) Requirements For Greenhouse Gases, to defer EPA's application of PSD permitting requirements to biogenic CO2 emissions from bioenergy and other biogenic stationary sources for three years. The deferral was promulgated 07/20/11 (76 FR 43490); [Proposed Rule Amendment](#) was published 01/24/11; [Proposed Rule published in the Register](#) 02/01/12. A [Hearing](#) was held 03/14/12, and comments were due 04/02/12. There is also a [separate temporary rulemaking action](#). Contact: [Joelle Burlison](#), (919) 707-8720



2012 SESSION DATES: 01/10/12 THROUGH 06/07/12

South Carolina has two sessions, and 2011 bills carry over

LEGISLATION

INTERNATIONAL ENERGY CONSERVATION CODE OF 2009 (HB 4639): This bill adopts the 2009 edition of the international energy conservation code as the energy standard. HB 4639 was enacted.

EXEMPTIONS AND LIMITATIONS ON POLLUTANTS (HB 4654): This measure prohibits discharge of pollutants into the environment and remedies for violations; deletes provisions relating to required procedures preceding issuance of a final order; and provides that an order is subject to review pursuant to the administrative procedures act.

NATIONAL OCEAN COUNCIL (HCR 4703): This concurrent resolution opposes and refuses to recognize or enforce the coastal and marine spatial plans created in South Carolina pursuant to the authority of the National Ocean Council. HCR 4703 passed the House, and **may be an indication of anticipated disputes between state and federal officials as planning develops.**

SAVANNAH RIVER (HJR 4627): This joint resolution suspends the authority of the South Carolina Department of Health and Control (SCDHEC) for all decisions, subsequent to 2007, pertaining to navigability, depth, dredging, wastewater and sludge disposal, and related collateral issues of the South Carolina portion of the Savannah River. The authority of the Savannah River Maritime Commission supersedes the authority of SCDHEC for actions concerning the Savannah River. HJR 4627 was enacted (veto overridden).

SOUTH CAROLINA ISOLATED WETLANDS ACT OF 2012 (HB 5032): This measure would establish procedures and criteria for SCDHEC to issue permits for conducting discharging, draining and ditching activities in isolated wetlands, and to monitor permit compliance.

DISAPPROVAL OF SCDHEC FEE REGULATIONS (SJR 1098): This joint resolution disapproves regulations that adjust the Safe Drinking Water Act (SDWA) fee structure, and continues to provide monitoring and compliance services for recently promulgated federal drinking water regulations.

WATER WITHDRAWAL FEES (SB 1220): This bill amends fees imposed by SCDHEC for the surface water withdrawal program. It also reauthorizes fees for surface water withdrawal applications and permits that would otherwise have been repealed 01/01/13.

NOTICE

REESTABLISHMENT OF GOVERNOR'S SAVANNAH RIVER COMMITTEE: On 04/27/12, Governor Haley issued an Executive Order to re-establish the Governor's Savannah River Committee of South Carolina in conjunction with the Governor's Savannah River Committee of Georgia. The committee and their counterparts from the Governor's Savannah River Committee of Georgia shall convene a bi-state forum to identify and discuss issues of mutual interest related to the water resources of the Savannah River Basin. They shall also make recommendations to address demand-related issues including, but not limited to water supply, wastewater disposal, flood control, economic development and recreation.

FINAL RULES

AIR QUALITY IMPLEMENTATION PLAN (61-62.60; 61-62.61; 61-62.63; 61-62.5): SCDHEC has adopted amendments to air pollution control regulations and standards, and the SC Air Quality SIP. SCDHEC proposes to amend Regulations 61-62.60, 61-62.61 and 61-62.63, to incorporate by reference federal amendments published from 01/01/10 through 12/31/10. SCDHEC also amended Regulation 61-62.63, to incorporate a 2008 amendment to 40 CFR Part 63 based on a final rule entitled National Emission Standards for Hazardous Air Pollutants for Source Category: Gasoline Dispensing Facilities (73 FR 35939, 06/25/08). SCDHEC reformatted the AAQS Table and revised Regulation 61-62.5, Standard 2, to incorporate deletion of an annual standard for PM₁₀ that EPA revoked in 2006. SCDHEC amended Regulation, 61-62.5, Standard 7, to incorporate maximum allowable increases in ambient pollutant concentrations (increments) required by the rule entitled PSD for PM_{2.5} Increments, Significant Impact Levels (SILs) and Significant Monitoring Concentration (SMC) (75 FR 64864, 10/20/10). The final rule adds two EPA screening tools, SILs and the SMC for PM_{2.5}. These tools

are not federally mandated and may be incorporated in a future action. SCDHEC proposed other changes to Regulation 61-62, Air Pollution Control Regulations and Standards, that may include corrections for internal consistency, clarification, reference, punctuation, codification, formatting and spelling to improve the overall text of Regulation 61-62, as necessary. Pursuant SC Code Section 1-23-120(H)(1), proposed changes in this amendment will not be more stringent than current federal requirements, thus do not require legislative review. [Notice of Drafting](#) was published on 10/28/11, and comments were due by 11/28/11. The [Notice of Proposed Regulation](#) was published 01/27/12, and comments were due 02/27/12. A Public Hearing was held 04/12/12. [Final Regulations](#) were published on 04/27/12, and become effective 04/27/12. Contact: [Mallori McAllister](#)

PROPOSED RULES

SURFACE WATER WITHDRAWAL, PERMITTING, USE AND REPORTING (R. 61-119, 121-10, 121-12): This [proposed rule-making](#) implements new rules to rename sections of the Surface Water Withdrawal, Permitting, Use and Reporting Act, amends rules to incorporate fees authorized by this Act, and repeals regulations which would become obsolete upon promulgation of the new regulation. The first Notice of Drafting was published 08/27/10; second 05/27/11; deadline for comments was 06/27/11. Revisions were made based on comments received, and the rule was reissued for public comment 08/26/11. Comments were due 09/26/11. The public hearing scheduled for 10/13/11 was postponed until 12/08/11. Contact: Charles Gorman (803) 898-3112

AIR POLLUTION CONTROL (61-62.60; 61-62.61; 61-62.63; 61-62.5): SCDHEC has proposed amendments to air pollution control regulations and standards and the SC Air Quality SIP: amend Regulations 61-62.60, .61 and .63, to incorporate by reference federal amendments published from 01/01/10 through 12/31/10; amend Regulation 61-62.63, to incorporate a 2008 amendment to 40 CFR Part 63 based on a final rule entitled National Emission Standards for Hazardous Air Pollutants for Source Category: Gasoline Dispensing Facilities (73 FR 35939, 06/25/08); reformat the AAQS Table and revise Regulation 61-62.5, Standard 2, to incorporate deletion of an annual standard for PM10 that EPA revoked in 2006; and amend Regulation, 61-62.5, Standard 7, to incorporate maximum allowable increases in ambient pollutant concentrations ("increments") required by PSD for PM 2.5 (75 FR 64864, 10/20/10). The final rule adds two EPA screening tools PM2.5. The tools are not federally mandated and may be incorporated in a future action. SCDHEC may propose other changes to Regulation 61-62, to include corrections for internal consistency, clarification, reference, punctuation, codification, formatting and spelling. Proposed amendments in this Notice will not be more stringent than current federal requirements, thus do not require legislative review. [Notice of Drafting](#) was published 10/28/11, and comments were due 11/28/11. Contact: [Mallori McAllister](#)

NPDES GENERAL PERMIT FOR STORMWATER DISCHARGES FROM CONSTRUCTION ACTIVITIES (SCR100000): SCDHEC is seeking input on this [proposed permit](#) and invites interested people to a public hearing and/or to provide written comments. A Public Hearing was held 11/14/11, and comments were due 11/28/11. [Notice of Proposed Permit](#), [Fact Sheets and Rationale](#), [Notice of Intent/Certification Forms](#)
Contact: Freedom of Information Office, 2600 Bull Street, Columbia, SC 29201, (803)-898-3882

CLASSIFIED WATERS (R.61-68; R.61-69): SCDHEC has proposed amendments to R.61-68 to strengthen and improve the existing regulation and make appropriate revisions of the State's water quality standards in accordance with the Federal Clean Water Act (CWA), as required by Section 303(c)(2)(B) stating that South Carolina's water quality standards be reviewed and revised, where necessary, to comply with Federal regulatory revisions and recommendations. SCDHEC proposes revisions to replace fecal coliform as a bacterial indicator for recreational uses in freshwaters of the State. Revisions would replace specific language regarding how the bacterial indicator species will be used for implementation activities of SCDHEC in all waters of the State and revisions associated with corrections or clarifications for language in the current regulation. SCDHEC proposes to amend R.61-69 for consistency with proposed language changes in R.61-68, to correct errors, and make other changes necessary to improve overall quality of the regulation. The first Notice of Drafting was published 04/22/11, and the second was published 07/22/11. A Notice of Proposed Regulations was published 10/28/11. Comments were due 11/20/11, and a Public Hearing was held 01/08/12. [Proposed Rule Information](#)
Contact: [Gina Kirkland](#), (803) 898-4330



2012 SESSION DATES: 01/10/12 THROUGH 05/01/12

****Tennessee has two sessions, and 2011 bills carry over****

LEGISLATION

MUNICIPAL SEPARATE STORM SEWER SYSTEMS (MS4s) ([SB 3187](#)): This measure authorizes MS4s to administer their own NPDES storm water construction permitting programs. SB 3187 was enacted.

VARIANCES FOR CERTAIN OPEN BURNINGS ([SB 3549](#)): This action authorizes the TDEC Commissioner to grant variances for certain open burnings and emissions testing requirements. SB 3549 was enacted.

FINAL RULES

CORRECTIVE ACTION ORDER: The TDEC Division of Solid Waste Management (DSWM) issued an order to DoD, Army, owner of the former Volunteer Army Ammunition Plant (VOAAP) EPA ID Number: TN6 21 002 0933, located in Chattanooga, Hamilton County, Tennessee. The order includes conditions for continuing corrective action of solid waste management units (SWMUs) and areas of concern (AOCs). Conditions apply to the entire site. Currently, all corrective action oversight at VOAAP is being conducted by the EPA and the DSWM in accordance with an EPA-issued Administrative Order under Section 3008(h) of RCRA. On 04/11/07, DSWM notified the Army that VOAAP was included on the 2020 GPRA Cleanup Baseline. As a result, DSWM and EPA have the responsibility of ensuring that corrective action be completed at VOAAP or, alternatively, a protective final remedy will be in place (i.e., remedy construction complete) by the end of 2020. Since Tennessee is authorized to implement corrective action, all parties have agreed to consolidate all ongoing corrective action under an enforceable document with DSWM as the lead agency. The order identifies known SWMUs and AOCs for the entire VOAAP site. DoD is required to investigate any releases of hazardous waste or hazardous constituents pursuant to this agreed order, and to take appropriate corrective action for any such releases. In addition to corrective action, under the conditions of this agreed order, DoD is also required to notify of imminent hazards; and as applicable, comply with the requirements developed under land disposal restrictions and organic air emission standards. DSWM issued the order under the authority of the Tennessee Hazardous Waste Management Act of 1977, Tennessee Code Annotated, Section 68-212-101 et seq., and Tennessee Rule Chapter 1200-01-11, Hazardous Waste Management. A Fact Sheet summarizing corrective action activities to date has also been prepared and is available for public review. Tennessee signed the Order 09/22/11, and the Deputy Assistant Secretary of the Army signed on 09/20/11.

[Notice of Intent](#)

Contact: Roger Donovan, 423-757-5310

PROPOSED RULES

LEAD-BASED PAINT ABATEMENT (1200-1-18-.1-.6, 0400-13-1.1-.6): TDEC has proposed amendments that would provide procedures and requirements for accreditation of lead-based paint activities and renovation training programs; outline procedures and requirements for certification of individuals and firms engaged in lead-based paint activities; and provide work practice standards for performing such activities. Amendments would repeal unnecessary provisions, and stipulate that all lead-based paint activities be performed by certified individuals and firms. OGC completed its review the week of 03/09/10. The rule was sent to the Attorney General for review and to ensure that legislative authorities are in existence and cited properly. The rule remains at the Attorney General's Office. It is anticipated that the rule will be filed with the Secretary of State. Once filed, the rule becomes effective 90 days later.

[Notice of Proposed Rulemaking](#)

Contact: [Adrianne White](#), 615-532-0885

STATE SOLID WASTE REDUCTION GOALS (TAC 1200-1-7-.1, -.9, -.10): TDEC has [proposed amendments](#) to address state waste reduction goals: reduce annually, the amount of solid waste going to Class I, Class III, and Class IV landfills. The rule addresses a private sector survey that would establish a baseline index for waste reduction and recycling activities, as well as monitor change. The current waste disposal reduction goal would be deleted in its entirety. Amendments would add definitions for calculated generation, municipal solid waste, E-scrap, local government, material derived fuels and waste to energy facility/combustor. The rule did not go before the Solid Waste Disposal Control Board at the 12/07/10 meeting. There were meetings with stakeholders in 2011 to help to shape draft language. There is no schedule for drafting new rule language. Contact: [Greg Luke](#), 615-532-0874

UST PROGRAM OPERATOR TRAINING (0400-18-01-.01, 0400-18-01-.16): TDEC has proposed amendments to petroleum UST regulations to clarify requirements for operator training. To correct an oversight, operator training regulations need to cover operation of USTs that are currently deferred in subparagraph (2)(b) of Rule 0400-18-01-.01. The International Code Council has notified TDEC that it will no longer offer the Tennessee UST System Operator Examination, and that it has made changes to the National version of that exam; therefore, subparagraph (2)(a) of Rule 0400-18-01-.16 was amended. The regulated community requested that TDEC define the term "unmanned facilities" to clarify which requirements apply to manned and unmanned facilities. Regulations were also amended to make it easier for the

regulated community to confirm training for designated class C operators. Requested clarifications are contained in these proposed amendments. The [Notice of Rulemaking Hearing](#) was published 01/23/12. A Hearing was held, and comments were due 03/13/12. Contact: [Rhonda Key](#), (615) 532-0989

BIOSOLIDS MANAGEMENT (0400-40-15-.01 THROUGH -.06): TDEC has proposed rulemaking to promulgate rules for land application of biosolids. Biosolids are currently regulated under 40 CFR Part 503, although Tennessee has no authority to enforce 40 CFR Part 503. EPA Region 4 is the permitting authority per Part 503, but has had a very small presence in Tennessee since promulgation of 40 CFR Part 503 in 1993. With EPA's national divestment in biosolids enforcement, it is unlikely that there will be a future EPA presence in Tennessee relative to the matter. For all practical purposes, requirements of the proposed Tennessee rules are virtually the same as those stipulated in 40 CFR Part 503 for land application of Class B biosolids. To land apply Class B biosolids under 40 CFR Part 503, pathogen reduction and vector attraction reduction options must be met, and the concentrations of certain metals (pollutants or contaminants) must not exceed safe levels; requirements of these proposed rules for pathogen reduction and vector attraction reduction are the same as those in 40 CFR Part 503. Monitoring frequency, record keeping and reporting requirements are also the same. Proposed rules provide specifics for the agronomic rate calculation and add setbacks to ensure protection State waters. A [Notice of Rule Making Hearing](#) was filed 05/23/12. Hearings are scheduled for 07/23/12, 07/24/12, 07/30/12, and 07/31/12. Comments are due 09/07/12. Contact: [Robert Dette](#), (615) 253-5319

Department of Defense Activity

LEAD, HEXAVALENT CHROMIUM, CADMIUM (04/18/12): DoD issued [Directive-Type Memorandum \(DTM\) 12-003](#), *Control and Management of Surface Accumulations from Lead, Hexavalent Chromium, and Cadmium Operations*. The directive implements title 29, Code of Federal Regulation 1910 (29 CFR 1910), and applies to all DoD components. The directive was effective 04/18/12, and expires 10/15/12.

Federal Activity

AIR

1997 8-HOUR OZONE NAAQS (05/14/12, [77 FR 28424](#)): EPA is revising the rules for implementing the 1997 8-hour ozone National Ambient Air Quality Standard (NAAQS) to address limited portions of the rules vacated by the US Court of Appeals for the District of Columbia Circuit. This rule assigns Clean Air Act (CAA) classifications and associated state planning and control requirements to selected ozone nonattainment areas. It also addresses three vacated provisions of the 1997 8-hour NAAQS Phase 1 Implementation Rule (04/30/04), which provided exemptions from anti-backsliding requirements related to nonattainment area New Source Review (NSR), CAA section 185 penalty fees, and contingency measures, as these three requirements applied for the 1-hour standard. This rule also reinstates the 1-hour contingency measures as applicable requirements that must be retained until the area attains the 1997 8-hour ozone standard. Finally, this rule deletes an obsolete provision that stayed EPA's authority to revoke the 1-h ozone standard pending EPA issuance of a final rule that revises or reinstates its revocation authority and considers and addresses certain other issues. This rule is effective 06/13/12. For further information: [Butch Stackhouse](#), Office of Air Quality Planning and Standards, US EPA, Research Triangle Park, NC 27711; 919-541-2363.

ONBOARD REFUELING VAPOR RECOVERY AND STAGE II WAIVER (05/16/12, [77 FR 28772](#)): EPA has determined that onboard refueling vapor recovery (ORVR) technology is in widespread use throughout the motor vehicle fleet for purposes of controlling motor vehicle refueling emissions. Thus, EPA is waiving the requirement for states to implement Stage II gasoline vapor recovery systems at gasoline dispensing facilities in nonattainment areas classified as Serious and above for the ozone NAAQS. After the effective date of this notice, 05/16/12, a state previously required to implement a Stage II program may take appropriate action to remove the program from its State Implementation Plan. For further information: [Mr. Lynn Dail](#), Office of Air Quality Planning and Standards, Air Quality Policy Division, Mail code C539-01, Research Triangle Park, NC 27711; 919-541-2363.

INTERSTATE TRANSPORT OF FINE PARTICULATE MATTER AND OZONE (05/16/12, [77 FR 28785](#)): EPA issued "Revisions to Federal Implementation Plans To Reduce Interstate Transport of Fine Particulate Matter and Ozone" as a direct final rule 02/21/12. Because EPA received adverse comments on this action, EPA is withdrawing the direct final rule, effective

05/16/12. For further information: [Jeremy Mark](#), US EPA, Clean Air Markets Division, MC 6204J, Ariel Rios Building, 1200 Pennsylvania Ave, NW, Washington, DC 20460; 202-343-9087.

2008 OZONE NAAQS (05/21/12, [77 FR 30160](#)): EPA has issued a final rule establishing the basis for classifying attainment and nonattainment areas for the 2008 ozone NAAQS. With this final ruling EPA is: establishing air quality thresholds that define each of the five CAA classifications for areas designated nonattainment for the 2008 ozone NAAQS; establishing the attainment deadline associated with each classification; granting reclassification for selected nonattainment areas that voluntarily reclassified under the 1997 ozone NAAQS; and revoking 1997 ozone NAAQS for purposes of transportation conformity one year after the effective date of the designations for the 2008 ozone NAAQS. EPA is also granting reclassification for selected nonattainment areas that voluntarily reclassified under the 1997 ozone NAAQS. This rule establishes December 31 of each relevant calendar year as the attainment date for all nonattainment area classification categories. It also provides for revocation of 1997 ozone NAAQS for transportation conformity purposes to occur one year after the effective date of designations for the 2008 ozone NAAQS. EPA performed an analysis that indicates that the majority of areas classified as Marginal will be able to attain the 2008 ozone NAAQS within three years of designation (i.e., in 2015) due to reductions of ozone precursors resulting from a number of federal and state emission reduction programs that have already been adopted. Attainment dates for areas designated in 2012 for the following Classifications: Marginal - 12/31/15; Moderate - 12/31/18; Serious - 12/31/21; Severe - 12/31/27; and Extreme - 12/31/32. The rule becomes effective 07/20/12. EPA is establishing the air quality thresholds that define the classifications in a separately published rule. For [further information](#): Dr. [Karl Pepple](#), EPA Office of Air Quality Planning and Standards, Research Triangle Park, NC, (919) 541-2683.

GHG REPORTING (05/21/12, [77 FR 29935](#)): EPA is proposing to amend specific provisions of the GHG Reporting Rule to provide greater clarity and flexibility to facilities subject to reporting emissions from certain source categories. These source categories will report GHG data for the first time in September of 2012, and the category "Solid waste landfills" NAICS 562212, is among those listed as impacted. EPA is proposing one technical amendment to 40 CFR 98 subpart TT (Industrial Waste Landfills) to address questions received about applicability of the subpart to industrial waste landfills that receive only inert wastes. In subpart TT, the volatile solids concentration is used as a surrogate for determining degradable organic carbon (DOC) content of a waste material [40 CFR 98.464(b)(4)(ii)]. In 40 CFR 98.460 (c)(xii), EPA provides an exclusion for facilities that receive inert waste materials "with a volatile solids concentration of 0.5 weight percent (on a dry basis) or less." However, some landfill owners or operators test the waste stream to determine directly waste-specific degradable organic content. These tests, when performed as described in 40 CFR 98.464(b)(4)(i)(A), can provide a more accurate DOC value than calculating organic content from volatile solids. To ease reporting burden on facilities that receive inert waste, but calculate DOC directly, EPA proposes to add a direct DOC value exclusion as 40 CFR 98.460(c)(2)(xiii). This exclusion would be provided in weight percent on a wet basis to be consistent with units for DOC. For further information: Carole Cook, Climate Change Division, EPA Office of Atmospheric Programs, Washington, DC, (202) 343-9263, email: GHGReportingRule@epa.gov.

CLIMATE CHANGE

[NATIONAL GLOBAL CLIMATE CHANGE RESEARCH PLAN 2012-2021 \(05/08/12\)](#): Mandated by the Global Change Research Act of 1990, this plan will serve as the guiding document for US Global Change Research Program for the next decade. The plan is built around four strategic goals: advance science, inform decisions, conduct sustained assessments, and communicate and educate.

[GSA CARBON FOOTPRINT TOOL ENHANCEMENTS \(05/18/12\)](#): The General Services Administration (GSA) has been actively collecting feedback through User Focus Groups, demos and interviews to identify common challenges faced by federal sustainability professionals. Using input from over 30 federal agencies, GSA has developed solutions to reduce the greenhouse gas (GHG) emissions reporting burden and help agencies make better decisions about reducing emissions. GSA is announcing a number of new Carbon Footprint Tool features to save time and money, and help agencies to meet EO 13514 obligations. The tool is free for federal agencies.

ENERGY

[HANDBOOK ON SITING RENEWABLE ENERGY PROJECTS WHILE ADDRESSING ENVIRONMENTAL ISSUES \(EPA\)](#): This handbook is intended for EPA, other federal, local, and state cleanup project managers; communities, property owners, developers, and others with an interest in reusing potentially contaminated sites for renewable energy production. The handbook provides tools to help interested parties determine the overall feasibility of siting renewable energy production and key considerations for integrating renewable energy development during all phases of typical cleanup processes (e.g., during the environmental assessment, cleanup plan, or cleanup implementation) in the EPA Superfund, Brownfields, and Resource Conservation and Recovery Act (RCRA) Corrective Action programs.

WIND AND SOLAR DECISION TREES (05/02/12, EPA): These decision trees were developed by EPA and the Department of Energy's National Renewable Energy Lab (NREL), to screen potentially contaminated and underutilized sites for solar and wind potential. While the decision tree focuses on potentially contaminated sites, this tool also provides information on rooftop and other applications in order to support complimentary evaluations. These decision trees can be used to screen individual sites for their solar or wind potential or for a community-scale evaluation of multiple sites.

ADVANCED ENERGY DESIGN GUIDE FOR LARGE HOSPITALS (05/10/12): This guide targets standard mid- to large-size hospital, typically at least 100,000 ft² in size, but the strategies apply to all sizes and classifications of large hospitals. Space types covered include cafeterias and kitchens; conference and office areas; reception and waiting areas; examination and treatment rooms; clean and soiled workrooms; nurse stations; nurseries and patient rooms; operating, procedure and recovery rooms; sterilizer equipment areas; pharmacies and laboratories; triage, trauma, and emergency rooms; physical therapy and radiology/imaging rooms; storage, receiving, and mechanical/electrical/telecom rooms. This Guide does not directly address other, atypical or special-use spaces. The guide was developed to help meet an owner's energy performance requirements. In an effort to promote building energy efficiency, ASHRAE and its partners has made this guide available for download (PDF) at no charge.

NATURAL RESOURCES

TEXTUAL DESCRIPTIONS OF BOUNDARIES OF CRITICAL HABITAT (77 FR 25611, 05/01/12): The US Fish and Wildlife Service (USFWS) and National Marine Fisheries Service (NMFS) are revising regulations related to the publishing textual descriptions of proposed and final critical habitat boundaries. In an effort to make designation of critical habitat more user-friendly, the Services will maintain publication of maps of proposed and final critical habitat designations. However, USFWS and NMFS will make optional, the inclusion of textual description of boundaries of the designation in the Federal Register. Boundaries of critical habitat as mapped or otherwise described in the Regulation Promulgation section of a rulemaking that is published in the Federal Register will be the official delineation of the designation. Coordinates and/or plot points from which maps are generated will be included in the administrative record for designation, and will be available to the public on the Internet. For further information: Nicole Alt, FWS, Division of Conservation and Classification, Arlington, VA, 703/358-2171, or Marta Nammack, National Marine Fisheries Service, Silver Spring, MD, 301-427-8469.

EASTERN DIAMONDBACK RATTLESNAKE (05/10/12, 77 FR 27403): In response to a petition, USFWS has found that listing the eastern diamondback rattlesnake may be warranted. Threats to the species include present or threatened destruction, modification or curtailment of habitat or ranges, primarily as a result of the conversion of natural pine habitat to silviculture, agriculture, urbanization, and to fire suppression. The principal native habitat of the eastern diamondback rattlesnake are longleaf pine savannas encompassing the Coastal Plain of the southeastern US from North Carolina to south Florida, and west to Mississippi and Louisiana. Today, nearly all of the old growth longleaf pine savannas are gone, and the eastern diamondback survives wherever its native habitats still exist or where open-canopy, ruderal forests and grasslands that mimic the native vegetation have developed. The remaining principal large tracts of second growth longleaf pine are found on publically owned lands in the Coastal Plain, especially national forests, **military bases**, State forests and parks, and a few wildlife refuges. Comments are due 07/09/12. For [further information](#): Don Imm, FWS, Panama City, FL; 850-769-0552.

82 CORAL SPECIES (05/22/12, 77 FR 30261): The National Marine Fisheries Service has announced the dates of public listening sessions and science workshops related to the status review of 82 coral species for possible listing as threatened or endangered. The listening sessions will be held 06/28/12 in Dania Beach, FL; Science workshops will be 06/27/12 in Dania Beach, FL. For further information on listening session: Jennifer Moore, NMFS, Southeast Regional Office, 727-824-5312. For science workshop: Margaret Miller, NMFS, Southeast Fisheries Science Center, 305-361-4561.

EMERGENCY PREPAREDNESS AND THE ENDANGERED SPECIES ACT (05/30/12): USFWS has issued a letter (available as an attachment to the June 2012 *Review* distribution email) to southeastern Federal agencies regarding compliance with ESA prior to implementation of emergency response procedures. If an emergency is in a Presidentially Declared Disaster Area and public facilities have been damaged, the facility may be restored as it existed prior to the disaster. When these two conditions are met, emergency consultation is not needed. For all other emergency response activities, a responding agency should contact USFWS as soon as possible for further guidance and direction. USFWS recently updated the [Southeastern Region web pages](#) for emergency consultation under ESA. For general questions regarding ESA Section 7 compliance in the Southeast: Ken Graham, Section 7 Coordinator, (404) 679-7358; Holly Herod, Emergency Section 7 Coordinator, (404) 679-7089; Janet Mizzi, Chief, Endangered Species Division, (404) 679-7169.

NEPA

MAPPING TOOL (EPA): [NEPAssist](#) is a tool that facilitates the environmental review process and project planning in relation to environmental considerations. The web-based application draws environmental data dynamically from EPA Geographic Information System databases and web services and provides immediate screening of environmental assessment indicators for a user-defined area of interest. These features contribute to a streamlined review process that potentially raises important environmental issues at the earliest stages of project development.

WATER

REVISIONS TO THE UNREGULATED CONTAMINANT MONITORING REGULATION (05/02/12, [77 FR 26072](#)): EPA has issued a final rule, the third Unregulated Contaminant Monitoring Regulation (UCMR), which lists unregulated contaminants to be monitored, and analytical methods to monitor for 28 chemical contaminants. Additionally the rule describes monitoring for two viruses. All large community and non-transient non-community water systems serving more than 10,000 people are required to monitor. In contrast to implementation of UCMR 1 and 2 monitoring, systems that purchase all finished water from another system are not excluded from the requirements of UCMR 3. Only a nationally representative sample of "small" community and non-transient, non-community systems serving 10,000 or fewer people are required to monitor for the chemical analytes; EPA will pay for analysis of samples collected by these small systems. Chemicals and other substances to be monitored include: chlorate, perfluorooctanesulfonic acid (PFOS), perfluorooctanoic acid (PFOA) and four other perfluorinated compounds, chromium-6, total chromium, testosterone, 4-androstene-3,17-dione, and estrone (17-[beta]-estradiol). For further information: [Brenda D. Parris](#), EPA Office of Ground Water and Drinking Water, Office of Water, Cincinnati, Ohio, (513) 569-7961.

CONTAMINANT CANDIDATE LIST (CCL) (05/08/12, [77 FR 27057](#)): EPA is requesting nominations of chemical and microbial contaminants for possible inclusion in the fourth drinking water CCL 4 (CCL 4). EPA reviews the list every five years to determine whether to regulate at least five contaminants from the list. EPA is also requested supporting information made available since development of the third CCL (CCL 3), and existing information that was not considered for CCL 3 and shows a nominated contaminant may have adverse health effect on people and occurs, or is likely to occur in public water systems. Nominations are due 06/22/12. [Additional information](#) about the drinking water Contaminant Candidate List and the Regulatory Determinations process is available. For further information: [Clifton Townsend](#), EPA, Office of Ground Water and Drinking Water, Washington, DC; 202-564-1576.

WETLAND PLANT LIST (05/09/12, [77 FR 27210](#)): The Army Corps of Engineers, as part of an interagency effort, has released the final [2012 National Wetland Plant List \(NWPL\)](#). The NWPL is used to determine whether the hydrophytic vegetation parameter is met when conducting wetland determinations under the Clean Water Act (CWA) and the Wetland Conservation Provisions of the Food Security Act. The list became effective on 06/01/12, and will be used in any wetland delineation performed after 06/01/12. The wetland plant list used for CWA purposes was first published by the USFWS in 1988 and contained 6,728 species. The latest list contains 8,200 species. The majority of the increased number of species is a result of new taxonomic interpretations. The new list also includes changes in plant indicator status for 807 species, or 12 percent of the previous list. For further information: [Karen Mulligan](#), Headquarters, Army Corps of Engineers, Operations and Regulatory Community of Practice, Washington, DC, 202-761-4664.

AIRPORT DEICING (05/16/12, [77 FR 29168](#)): EPA is promulgating technology-based effluent limitations guidelines (ELGs) and new source performance standards (NSPS) under the CWA for discharges from airport deicing operations. Requirements generally apply to wastewater associated with the deicing of airfield pavement at primary airports. The rule requires all such airports to comply with requirements based on substitution of less toxic pavement deicers that do not contain urea. The rule also establishes NSPS for wastewater discharges associated with aircraft deicing for a subset of new airports. These airports must also meet requirements based on collection of deicing fluid and treatment of the collected fluid. The ELGs and NSPS will be incorporated into National Pollutant Discharge Elimination System (NPDES) permits issued by the permitting authority. This final rule is effective 06/15/12. For further information: [Eric Strassler](#), Engineering and Analysis Division, 202-566-1026.

STORMWATER DISCHARGES FROM LOGGING ROADS, IMPACTS FROM FOREST ROAD DISCHARGES (05/23/12, [77 FR 30473](#)): EPA intends to propose revisions to Phase I stormwater regulations to specify that stormwater discharges from logging roads are not stormwater discharges "associated with industrial activity." Additionally, EPA is seeking comment on approaches for addressing water quality impacts associated with discharges of stormwater from forest roads. EPA intends to study water quality impacts of forest roads and existing federal, state, tribal and voluntary programs designed to determine if additional EPA action is necessary. EPA will seek input again prior to taking additional action. Comments must be received by 06/22/12. For further information: [Jeremy Bauer](#), EPA Headquarters, Office of Water, Office of Wastewater Management, 202-564-2775.

Professional Development

VARIOUS DATES AND TIMES ONLINE: [NPDES TRAINING COURSES AND WORKSHOPS](#). Training courses, workshops, and webcasts explain the regulatory framework and technical considerations of the NPDES Permit program; designed for permit writers, dischargers, USEPA officials and other interested parties.

VARIOUS DATES AND TIMES ONLINE: [2012 USACE 2012 TRAINING PROGRAM \(PURPLE BOOK\)](#). US Army Corps of Engineers FY 2012 training program is open for registration. For further information, contact USACE at (402) 697-2559.

VARIOUS DATES AND TIMES ONLINE: [INTERSTATE TECHNOLOGY AND REGULATORY COUNCIL \(ITRC\) INTERNET BASED TRAINING](#). ITRC is a state-led coalition working together with federal partners, industry, academia, and stakeholders to achieve regulatory acceptance of environmental technologies. In conjunction with EPA's Technology Innovation and Field Services Division (TIFSD), ITRC delivers training courses via the Internet to reach a geographically dispersed audience of regulators, consultants, and other members of the environmental community. The training sessions last approximately two hours, cover technical and regulatory information specific to environmental technologies and innovative approaches, and are supported by consensus-based ITRC guidance documents.

VARIOUS DATES AND TIMES: [EPA RCRA TRAINING](#). RCRA-related online courses, seminars, webinars, podcasts, and videos are posted throughout USEPA's waste website. Introductory and advanced courses are included for federal and state regulators, the regulated community, organizations, associations, and consumers interested in environmental laws, regulations and implementation.

VARIOUS DATES AND TIMES: [NATIONAL ENFORCEMENT TRAINING INSTITUTE](#). EPA environmental enforcement training opportunities offered (E-Learning, Classroom, Webinar) for federal, state, tribal and local government environmental enforcement professionals.

ANYTIME ONLINE: [EPA WATERSHED ACADEMY](#). The website offers a variety of self-paced training modules that represent a basic and broad introduction to the watershed management field. Modules vary in time to complete, from 1/2 hour to 2 hours.

ANYTIME ONLINE: [EPA SUSTAINABLE MATERIALS MANAGEMENT ACADEMY](#). Learn about key issues, successful projects, and a variety of best management practices for creating stellar waste management programs. Hear from experts around the country on what works and what doesn't, and how to make your program more successful. The format for the calls will be a formal presentation followed by a question and answer session and discussion time.

ANYTIME ONLINE: [EPA REDUCES RUNOFF VIDEO](#). Online video highlights green building techniques (rain gardens, green roofs, etc.) to help manage storm water runoff.

ANYTIME ONLINE: [DEFENSE ACQUISITION UNIVERSITY \(DAU\)](#). DAU developed on-line resources available for the DoD workforce, industry partners, and other federal, state, and local government organizations. The on-line resources provide the ability to apply for a course, take a continuous learning module for continuous learning credit, research policy and other documents, link to related learning and knowledge content, ask a professor a question, contribute knowledge objects (such as lessons learned, best practices, templates, or samples), or collaborate with peers on work issues.

ANYTIME ONLINE: [DOILEARN](#). DOI Learn houses natural resource courses and training offered by all organizations within the Department of Interior, to include the National Park System, Fish and Wildlife Service, Bureau of Land Management, etc.

ANYTIME ONLINE: [GOLEARN](#). GoLearn provides government employees and military personnel with web-based learning and development courses, and other products and services. Site registration is required, including a nominal fee for federal users.

ANYTIME ONLINE: [ARMY PODCAST SERVICE](#). The Army offers free podcasts on a wide variety of topics, including an environmental series, an Army Corps of Engineers series, and many more. The podcasts are available through a free subscription service. It is not necessary to own an ipod in order to view or listen to a podcast.

ANYTIME ONLINE: [TRAINING FOR FEDERAL GHG INVENTORIES](#). A component of FedCenter's broader "Greenhouse Gas Inventory Reporting" site is available. The FEMP-developed training offers three types of training that can help in understanding the processes needed to develop an agency's GHG inventory under EO 13514 section 9. These trainings include online interactive courses, archived webinar videos and PowerPoint files from training courses.

ANYTIME ONLINE: [BUILDING RETUNING](#). The purpose of this course is to enable you to reduce operating cost and provide energy savings to buildings. The focus is on large (100,000 sq. ft.) commercial buildings, but the concepts and techniques presented can be applied to any type and size of facility that has a building automation system (BAS).

JUNE 14, ONLINE: [EPA AIR QUALITY REGULATIONS FOR RECIPROCATING INTERNAL COMBUSTION ENGINES](#). This two-part webinar provides an overview of EPA's regulations for stationary reciprocating internal combustion engines (RICE), an update on potential revisions, and time for questions. RICE are used to produce electric power, pump water, and operate compressors.

JUNE 19-21, SHEPHERDSTOWN, WV: [CLIMATE CHANGE VULNERABILITY ASSESSMENT](#). This course is designed to guide conservation and resource management practitioners in two essential elements in the design of climate adaptation plans. Specifically, it will provide guidance in identifying which species or habitats are likely to be most strongly affected by projected changes; and understanding why these resources are likely to be vulnerable. Vulnerability Assessments are a critical tool in undertaking any climate change planning or implementation.

JUNE 21, WASHINGTON, DC: [WORLD GREEN ENERGY SYMPOSIUM](#). The conference brings together green energy experts from the public and the private sector to provide information on green energy policies, case studies, innovative products and funding opportunities.

JUNE 21-22, BOCA RATON, FL: [RISK AND RESPONSE: SEA LEVEL RISE SUMMIT, FUTURE OF FLORIDA AND THE COAST](#). The purpose of this summit is to highlight interrelationships between sea level rise, limestone geology, and water management in Florida; share ongoing responses and adaptation planning of agencies, institutions, and civic society to sea level rise; and, compare the Florida situation and response with other vulnerable localities in the US and worldwide.

JUNE 25-29, HOUSTON, TX: [INTERNATIONAL CONFERENCE ON ENVIRONMENTAL SCIENCE AND TECHNOLOGY 2012](#). The conference will provide a multidisciplinary platform for environmental scientists, engineers, management professionals and government regulators to discuss the latest developments in environmental research and applications.

JUNE 25-26, WASHINGTON, DC: [DEFENSE, NATIONAL SECURITY AND CLIMATE CHANGE: BUILDING RESILIENCE AND IDENTIFYING OPPORTUNITIES RELATED TO WATER, ENERGY AND EXTREME EVENTS](#). US defense and intelligence communities are increasingly focusing resources on the operational and national security implications of climate change, water and energy. With the most recent quadrennial report identifying climate change as a global destabilizing force for the first time, an intelligence community assessment related global water security, Executive Order 13514 on sustainability across the Federal agencies, and an uncertain and unstable energy market, the challenges before American defense and national security communities to address water, energy and extreme events related risks and opportunities, as well as establish a leaner, more effective operational force in a down economy.

JUNE 26-28, LOUISVILLE, KY: [FEDFLEET AND MORE 2012](#). The conference agenda is structured to give attendees many opportunities to receive essential fleet and aviation training and to network with one another.

JULY 5, ONLINE: [UNCLE SAM AS A POLLUTER](#). Federal installations, from the DoD military installations to the corner Post Office, must comply with federal environmental law through a series of Executive Orders and federal statutes. Join EPA representatives as they explain the process to ensure compliance at our federal facilities.

JULY 9-13, SHEPHERDSTOWN, WV: [WETLAND PLANT IDENTIFICATION](#). This course is designed to improve the ability of field staff to identify wetland plants using botanical manuals and floras. The class consists of several one-day sessions on the following groups: woody plants, including winter condition; herbaceous dicots; and grasses, sedges and rushes, and other monocots. Lectures discuss morphology, terminology and identification. Plants representative of that day's topic(s) are collected daily in the field and keyed-out in the classroom, in both directed and individual keying exercises.

JULY 10-11, WASHINGTON, DC: [BIOMASS 2012](#). The conference will bring together diverse stakeholders with key decision makers in the public and private sectors, as well as a range of interdisciplinary experts, to discuss the latest advances in bioenergy technology, policy news and financing strategies. Biomass 2012 will provide a superb forum for open dialogue about overcoming common challenges and sustaining our national commitment to building the advanced

bioenergy economy.

JULY 17-19, SAN ANTONIO, TX: [ADVANCED HISTORIC LAW AND SECTION 106 COMPLIANCE](#). Tuition is free. For more information, contact [David-Bryden Pease](#).

JULY 17-20, WASHINGTON, DC: [FIRST STEWARDS: COASTAL PEOPLES ADDRESS CLIMATE CHANGE](#). Join coastal indigenous elders, leaders, cultural practitioners, scientists and witnesses, as well as non-tribal participants, for the first national US symposium addressing climate change impacts on coastal indigenous peoples. Symposium dialogue will identify ways indigenous cultures may be able to increase resilience and adaptability to predicted climate change impacts. Participants will identify ways to incorporate indigenous ecological knowledge in US climate change science, education and governance.

AUGUST 6-9, CHICAGO, IL: [NATIONAL CONFERENCE OF STATE LEGISLATURES LEGISLATIVE SUMMIT](#). The summit will bring together men and women from all 50 states and around the world for the premier public policy meeting in the nation. Legislators, legislative staff members, corporate representatives, unions, government officials, foundation members and others will discuss critical state issues, innovations, cost-saving measures and share ideas that shape the country. This meeting features 160 sessions on every major issue being debated in state legislatures today. The summit attracts the most renowned experts in the nation to share perspectives on both state and federal policies affecting every citizen.

AUGUST 19-22, ST. LOUIS, MO: [GOVENERGY 2012](#). GovEnergy is recognized for delivering quality training to the federal energy management community. For 15 years the conference has attracted individuals eager to address the challenges of federal energy management, helping to foster ideas into action. By bringing together the nation's leading experts in policy, technology, and facility operations, Govenergy provides responsible, professional-grade education through a variety of learning experiences.

AUGUST 22-24, SAVANNAH, GA: [2012 GEORGIA ENVIRONMENTAL CONFERENCE](#). The annual conference is the state's largest and most comprehensive educational opportunity and will be attended by an estimated 500 state, local, and federal government officials, business and industry leaders, attorneys, consultants, engineers, energy experts, water planning districts and many others with a strong interest in Georgia's Environmental Programs.

SEPTEMBER 24-26, WASHINGTON, DC: [2012 GREENGOV SYMPOSIUM](#). The Symposium will bring together leaders from government, the private sector, non-profits and academia to identify opportunities to create jobs, grow clean energy industries, and curb pollution by incorporating sustainable practices into the Federal Government's operations. This year's event will be co-sponsored by CEQ and the Association of Climate Change Officers (ACCO).

SEPTEMBER 30-OCTOBER 5, COLUMBUS, OH: [ECO Summit 2012](#). The summit will bring together respected minds in ecological science to discuss restoring the planet's ecosystems. Come hear Nobel Prize laureate Elinor Ostrom, Pulitzer Prize winners E.O. Wilson and Jared Diamond, Kyoto Prize winner Simon Levin, Stockholm Water Prize laureates Sven Jørgensen and William Mitsch, and many others in the first conference ever linking the Ecological Society of America (ESA), The International Association for Ecology (INTECOL) and the Society for Ecological Restoration International (SER). The symposia, general sessions, posters, and workshops cover a wide variety of ecological topics, over the entire week of the conference in parallel sessions.

OCTOBER 1-5, NASHVILLE, TN: [COMPREHENSIVE FIVE-DAY TRAINING PROGRAM FOR ENERGY MANAGERS](#). The seminar provides an in-depth, comprehensive learning and problem-solving forum for those who want a broader understanding of the latest energy cost reduction techniques and strategies. The program begins by examining the basic fundamentals within all key areas of energy management. From there, the instructors systematically move to "working level" knowledge specific principles and techniques. This approach has been specially designed to fulfill the needs of professionals who seek a broader and more detailed learning experience.

OCTOBER 16-17, BATON ROUGE, LA: [NGWA FOCUS CONFERENCE ON GULF COAST GROUNDWATER ISSUES](#). Extreme weather events and manmade disasters have challenged the Gulf coast area regarding prudent water and groundwater management too much, not enough where needed, or water quality challenges. Coastal and inland communities, as well as thriving urban centers, face continuing and variable challenges on how best to cope with large-scale catastrophes that threaten water resources from both the quality and quantity perspectives. This conference addresses the technologies, new tools, and technological advancements can be applied to meet these challenges.

OCTOBER 17-18, WASHINGTON, DC: [2012 NAVAL ENERGY FORUM](#). Come share in a forum that brings together top leaders from the Department of the Navy, Industry, and Academia.

Staff Directory

Main Office Number	404-524-5061
Region 4 Director/DoD REC	404-460-3131
Region 4 Deputy Director	404-460-3125
Region 4 Counsel	404-460-3132
Region 4 REC	404-460-3136
Project Manager	404-460-3134
Regulatory Affairs Specialist	404-460-3135
Administrative Assistant	404-460-3130

How the Regional Offices Work for You

When used within the framework of ISO 14001, the *Southern Region Review of Legislative and Regulatory Actions* can be part of an installation's procedures to satisfy Section 4.3.2 (Legal and other requirements) of ISO 14001. Information in the *Review* is intended for general guidance, and the reader should refer to cited source documents for more detailed information to determine the applicability and scope of referenced legislation and regulations.

The US Army Regional Environmental and Energy Offices (REEOs) monitor state legislative and regulatory actions on your behalf. If a proposed state action has (1) critical mission impact; (2) conflicts with a federal requirement; and/or (3) causes a disproportionate effect on the Army or DoD, REEOs coordinate with potentially affected installations, commands, and/or other military Services to further assess the impact. If action on a proposed measure is necessary, REEOs work with Army or Service regulatory experts to communicate the DA/DoD position. Comments are combined from all parties in a single DoD/Army package, then formally submitted to the state.

Want to comment on a rule or bill in the *Review*?

Please contact your Regional Environmental Coordinator listed in the Staff Directory.

For further information on the Army's REEOs, visit: <http://www.asaie.army.mil/Public/ESOH/REEO/>.